article; and 502 (f) (1)—the labeling of the article failed to bear adequate directions for use.

DISPOSITION: The defendant entered a plea of not guilty on 1–13–55, and the case came on for trial before a jury on 6–27–55. On 6–28–55, after presentation of the Government's evidence, the defendant changed his plea to guilty, and on 7–8–55, was sentenced to 8 months in prison and fined $250.

4788. Rutinfusion. (F. D. C. No. 37900. S. No. 11–836 M.)

QUANTITY: 1 50-lb. drum at East Paterson, N. J., in possession of Merit Food Co., Inc.

SHIPPED: 1–1–55, from Station Yard, Wokingham, Berkshire, England, by Rutin Products, Ltd.

ACCOMPANYING LABELING: Leaflets designated "Rutinfusion makes 'Life as on a Summer's Day' " and "Rutinfusion (Technical Information)" and a number of printed package labels, the front panel bearing the statement "Merit rutinfusion * * * Sole Distributor Merit Food Co., Inc. 890 River Drive East Paterson, N. J. Weight 2 Oz. Net" and the back panel bearing the statement "Rutin is described as being non-toxic * * * Rutinfusion is specially grown and processed leaves and flowers of the buckwheat plant."

RESULTS OF INVESTIGATION: The package labels and leaflets were prepared locally for the consignee and were intended for use by the consignee as labeling for the article in 2-ounce packages for distribution for retail sale.

LIBELED: 3–23–55, Dist. N. J.

CHARGE: 502 (a)—the labeling of the article while held for sale contained false and misleading representations that the article was an adequate and effective treatment for overcoming capillary fragility; maintaining and restoring normal capillary strength; overcoming hypertension; preventing vascular accidents such as paralytic strokes; maintaining normal capillary strength for persons receiving medical treatment with thiocyanate drugs, salicylate drugs, and arsenical drugs; controlling pulmonary hemorrhage; overcoming internal bleeding; reducing the feeling of strain and fatigue after heavy or prolonged effort; strengthening the tiny blood vessels of the brain and body so that they may resist the effect of atomic fission; overcoming bodily failure after middle age; preventing premature decay; overcoming paralytic strokes caused by high blood pressure, eye conditions due to high blood pressure, and all forms of weakness of the circulatory system; preventing apoplexy and retinal hemorrhage; overcoming gastric hemorrhage and bleeding from the gums; preventing or delaying the advent of any ailments associated with age; strengthening and toning up the whole circulatory system, leaving the blood vessels vigorous and elastic; and for the treatment of asthma; and 502 (f) (1)—the labeling of the article when shipped failed to bear adequate directions for use for the purposes for which it was intended.

DISPOSITION: 4–27–55. Default—destruction.

4789. Mineral oil. (F. D. C. No. 37582. S. Nos. 7–803/4 M.)

QUANTITY: 2,300 gallons in 1 tank, at Oklahoma City, Okla., in possession of Roisman Products Co.

SHIPPED: 12–15–54, from Whiting, Ind.

ACCOMPANYING LABELING: Loose bottle labels bearing the following printed matter: "American Mineral Oil U. S. P. Heavy Contents 1 Pint Kent Directions Dose: One teaspoonful to one tablespoonful 2 or 3 times daily, or

one or two tablespoonfuls upon retiring. Soothing and safe for adults and children Kent Laboratories Oklahoma City, Okla."

LIBELED: 1–11–55, W. Dist. Okla.; amended 1–18–55.

CHARGE: 502 (a)—the statement on the bottle labels of the article, while held for sale, namely, "Dose: One teaspoonful to one tablespoonful 2 or 3 times daily * * * Soothing and safe for adults and children" was false and misleading since the statement represented and suggested that the article was safe and suitable for use in the manner recommended when such was not the case; and 502 (f) (2)—the labeling of the article failed to warn that the article should not be taken at any time other than at bedtime and should not be administered to infants except on the advice of a physician.

DISPOSITION: 2–8–55. Consent—claimed by Roisman Products Co. and relabeled.

DRUGS ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

4790. Dextro-amphetamine sulfate capsules. (F. D. C. No. 37965. S. No. 21–807 M.)

QUANTITY: 4 bottles at Philadelphia, Pa.

SHIPPED: 10–26–54, from Franklin Square, Long Island, N. Y., by Carl H. Kaplan, t/a Economy Buying Service, Inc.

LABEL IN PART: (Bottle) "250 Capsules Dextro Amphetamine Sulfate Each Capsule Contains 15 Mg. of Dextro Amphetamine Sulfate."

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 15 percent of the declared amount of dextro-amphetamine sulfate.

LIBELED: 5–3–55, E. Dist. Pa.

CHARGE: 501 (c)—the strength of the article when shipped differed from that which it purported and was represented to possess, namely, 15 milligrams of dextro-amphetamine sulfate per capsule; and 502 (a)—the label statement "Each Capsule Contains 15 Mg. of Dextro Amphetamine Sulfate" was false and misleading.

DISPOSITION: 7–27–55. Default—destruction.

4791. Neulate capsules. (F. D. C. No. 38058. S. No. 2–001 M.)

QUANTITY: 102 btls. at Roanoke, Va.

SHIPPED: 9–23–54, from Baltimore, Md., by Carroll Chemical Co.

LABEL IN PART: (Btl.) "Neulate Capsules 100 Each Capsule Contains: 2-(2-Dimethylamino-Ethyl)-2-Thenylamino) Pyridine-Hcl. 50 Mg."

RESULTS OF INVESTIGATION: Analysis showed that the article contained 80 percent of the declared amount of 2-(2-Dimethylamino-Ethyl)-2-Thenylamino) Pyridine-Hcl.

LIBELED: 5–26–55, W. Dist. Va.

CHARGE: 501 (c)—the strength of the article when shipped differed from that which it purported and was represented to possess, namely, 50 milligrams of 2-(2-Dimethylamino-Ethyl)-2-Thenylamino) Pyridine-Hcl. per capsule; and 502 (e) (1)—the label of the article failed to bear the common or usual name of the article, methapyrilene hydrochloride.

DISPOSITION: 6–15–55. Default—destruction.

*See also No. 4784.